

Title I Services in Non-Public Schools

Title I Mandates Services For Children in Private Schools

Following are the key provisions of Title I's mandate to provide services to private school children, drawn from the 2002 version of the law:

SEC. 1120. –

(a) GENERAL REQUIREMENT. –

- (1) IN GENERAL. – To the extent consistent with the number of eligible children identified under section 115(b) in a local educational agency who are enrolled in private elementary and secondary schools, a local educational agency shall, after timely and meaningful consultation with appropriate private school officials, provide such children, on an equitable basis, special educational services or other benefits under this part (such as dual enrollment, educational radio and television, computer equipment and materials, other technology, and mobile educational services and equipment) that address their needs, and shall ensure that teachers and families of the children participate, on an equitable basis, in services and activities developed pursuant to sections 1118 and 1119.
- (2) SECULAR, NEUTRAL, NONIDEOLOGICAL. – Such educational services or other benefits, including materials and equipment, shall be secular, neutral, and nonideological.
- (3) EQUITY. – Educational services and other benefits for such private school children shall be equitable in comparison to services and other benefits for public school children participating under this part, and shall be provided in a timely manner.
- (4) EXPENDITURES. – Expenditures for educational services and other benefits to eligible private school children shall

be equal to the proportion of funds allocated to participating school attendance areas based on the number of children from low-income families who attend private schools, which the local educational agency may determine each year or every 2 years.

- (5) PROVISION OF SERVICES. – The local educational agency may provide such services directly or through contracts with public and private agencies, organizations, and institutions.

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(d) PUBLIC CONTROL OF FUNDS. –

- (1) IN GENERAL. – The control of funds provided under this part, and title to materials, equipment, and property purchased with such funds, shall be in a public agency, and a public agency shall administer such funds and property.
- (2) PROVISION OF SERVICES. – (A) The provision of services under this section shall be provided—
- (i) by employees of a public agency, or
 - (ii) through contract by such public agency with an individual, association, agency, or organization.
- (B) In the provision of such services, such employee, person, association, agency, or organization shall be independent of such private school and of any religious organization, and such employment or contract shall be under the control and supervision of such public agency.

In other words;

1. Any district serving a non-public school must complete the Within District Targeting Funds screen on the electronic Title I application. This determines the amount of funds available to provide Title I services to eligible students in the non-public school.
2. A face-to-face meeting of the public and non-public school administrators must be held to discuss services to be provided in the non-public school, non-public student eligibility for Title I services, and evaluation of the Title I services provided to the non-public school. Documentation of the meeting is required.
3. Services in non-public schools are provided to private school children who reside in a participating public school attendance area/s and are in the greatest educational need of those services.
4. Title I funds for service in a non-public school are based on the documented student poverty count in the non-public school.
5. Title I services in a non-public school must be equitable to those provided in the public school – as funds described above allow.
6. Equipment and supplies purchased for use in a non-public school are the property of the public school through which the Title I dollars flow.
7. No Title I dollars ever go directly to non-public schools. The public school is always the fiscal agent.
8. Multiple non-public schools in a LEA may pool funds and provide services as a single entity.
9. Public and non-public schools in the same LEA do not have to provide services to the same grade span group.
10. Title I services in a non-public school must operate as Targeted Assistance Programs. Schoolwide Programs in non-public schools are not allowed under the NCLB law.